

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA  
Plaintiff

v.

ANDY RIVERA-GONZALEZ (11)  
Defendant

Criminal No. 06-158 (ADC)

ORDER

Before the Court is an unopposed Report and Recommendation issued by Chief Magistrate-Judge Justo Arenas on October 20, 2006. (**Docket No. 328.**) In said Report and Recommendation the Chief Magistrate-Judge recommends that: defendant **Andy Rivera-González** be adjudged guilty of the offenses charged in Count I (21 U.S.C. §§ 841(a)(1), 846, and 860) inasmuch as, his plea of guilty was intelligently, knowingly and voluntarily entered.

Neither party has filed objections to the Chief Magistrate-Judge's Report and Recommendation within the time frame provided by the Federal Rules of Criminal Procedure and this Court's Local Rules. See Fed. R. Crim. P. 11; 28 U.S.C. § 636(b)(1)(B); D.P.R. Local Crim. R. 147(b).

After reviewing the record, the Court agrees with the arguments, factual and legal conclusions within the Report and Recommendation. Therefore, the Court hereby **APPROVES** and **ADOPTS** the Chief Magistrate-Judge's Report and Recommendation in its entirety.

Accordingly, a judgment of conviction is to be entered as to Count I of the indictment in the above-captioned case.

This case was referred to the U.S. Probation Office for preparation of a Presentence Investigation Report on October 18, 2006. **The sentencing hearing is set for February 13, 2007 at 3:45 p.m.**

**SO ORDERED.**

At San Juan, Puerto Rico, this 6<sup>th</sup> day of November, 2006.

**S/AIDA M. DELGADO-COLON**  
**District Judge**